

Remarks

Claim 1 is amended.

Claims 3 and 8-12 are canceled.

Claims 1, 2 and 4-7 are now present in this application and are under consideration.

Amendments to the Claims

Claim 1 is amended to incorporate the limitations of claim 3.

Redundant claims 3 and 8-12 are canceled.

No new matter is added as a result of the present amendments.

Claim Rejections

Claims 1-12 are rejected under 35 USC 103(a) as obvious over Ciocca '772 or Hackbel '266 or EP '610 or EP 931805 each taken alone or further in view of Unithox[®] Technical Release No. 4022.0.

These rejections are as previously applied. EP 931805 is newly cited.

Clearly, the cited references alone do not render the present claims obvious. The Examiner acknowledges that the cited patents do not specifically identify the claimed compounds.

However, the Examiner alleges that the references show various compounds where the substituents and the variables can be selected so as to fall within the scope of the present claims. The Examiner states that Hackhbl '266 discloses multiple R units which can be alkyl groups and as such, this patent is not limited to the ether group having up to 22 carbon atoms.

Applicants respectfully disagree.

The closest compounds of Hackhbl '266, that is where R' is hydrogen and R is a monovalent aliphatic radical having from 12 to 22 carbon atoms (col. 1, lines 50-56), have no possible overlap with the present compounds as the present fatty alcohol portion of claim 1 had at least 24 carbon atoms. In amended claim 1, the present fatty alcohol portion now has 28, 30 or 32 carbon atoms.

The longest chain specific alkyl ethoxylate disclosed in Hackhbl '266 is polyoxyethylene mono behenyl ether (Table I), which has a fatty alcohol portion of 22 carbon atoms (the number of ethylene oxide units is 23).

The Examiner also states that EP '805 generically discloses the present compounds as it is not seen that the fatty alcohol portion is limited to 12 carbon atoms.

This reference very broadly discloses A-B-C triblock oligomers as antistatic additives. The A block is for example alkyl of 10 to 40 carbon atoms, the B block is for example a polyethoxylate section, and the C block is for example hydrogen or an alkyl group of 1 to 40 carbon atoms. The blocks may be connected by a variety of linkages, for example ether, OCO, COO, OCOO, NHCO or CONH linkages. The specific compounds of the working Examples, TBO-1 – TBO-25 are all triblock oligomers with fatty acid linkages, that is fatty acid-polyethoxylate-alkyl oligomers.

Therefore the present AB diblock compounds are only very generically disclosed by this reference. The present claims are not obvious over this reference.

Applicants admit however that the cited references disclose the "incorporation" of antifog additives into polyolefin films.

The Examiner cites the Unithox[®] Data Sheet as showing the present specific compounds. The Examiner maintains it would be obvious to the skilled artisan to select antifogging agents from the Unithox[®] Data Sheet and use them as taught in the primary references.

Applicants point out the present working Examples. In Example 2, a present compound where $a = 13$ and $b = 2.5$ is compared to a compound not of the present claims where $a = 13$ and $b = 10.5$ (Unithox[®] 450). The present compound shows a greater than 7 fold better performance according to the hot fog test.

In working Example 1, comparative data exists comparing a present compound where $a = 13$ and $b = 2.5$ to Atmer[®] 502, where $a = 7$ and $b = 2$. The present compound displays about a two fold better performance according to the hot fog test, even though Atmer[®] 502 is used at 1.5% by weight compared to 1% of the present compound.

The primary references specifically disclose relatively short chain fatty alcohol sections, containing from 8 to 22 carbon atoms (equivalent to present a being 2 to 9). The present fatty alcohol sections were at least 24 carbon atoms, and are now 28, 30 or 32 carbon atoms (present $a = 12, 13$ or 14).

The Unithox[®] Data Sheet discloses alkyl ethoxylate compounds where present a is from 11 to 23 and present b is from 2.5 to 94, that is relatively long chain fatty alcohol sections and a broad range of ethoxylate sections.

Applicants have discovered specific alkyl ethoxylate compounds of the prior art that perform especially well as antifog additives when incorporated into a polyolefin film, that is when the alkyl chain is relatively long and the ethoxylate section is short.

Comparative data exists comparing a present compound to those not of the present claims where the alkyl chain is short (Ex. 1), and where the ethoxylate section is long (Ex. 2).

Applicants submit that in light of the present amendments, the above discussion, and the data of the working Examples, that the 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are now in condition for allowance and respectfully request that they be found allowable.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tyler A. Stevenson', with a long horizontal flourish extending to the right.

Tyler A. Stevenson
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